

Sri Lankan president imposes essential public services order, banning power and health workers strikes

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On Wednesday night, Sri Lankan President Gotabhaya Rajapakse issued an extraordinary gazette declaring electricity and health essential public services and outlawing strikes in these sectors.

The immediate aim of the decree, which was issued under the country's draconian Essential Public Services Act (EPSA), was to stop a planned strike by Ceylon Electricity Board (CEB) workers starting at midnight. The key sector has a more than 26,000-strong workforce. The strike was called by the Ceylon Electricity Board Engineers Union (CEBEU) and the Ceylon Electricity Board United Trade Union Alliance (CEBUTA).

According to the EPSA decree, any employee of the designated institutions who does not attend work faces "conviction, after summary trial before a magistrate" and will be "liable to rigorous imprisonment" of two to five years and/or a fine of between 2,000 and 5,000 rupees (\$US5–\$US13).

The "movable and immovable property" of those convicted can be seized by the state, and his or her name "removed from any register maintained for profession or vocation." It is also an offence for any person to "incite, induce or encourage any other person" to not attend work through a "physical act or by any speech or writing."

The unions called the strike in protest against an amendment to the CEB Act 2009 proposed by Power and Energy Minister Kanchana Wijesekara, allowing investments in the "renewable energy sector" without competitive bids. The amendment removes a paragraph in the act stating that the license for the investment should be given to the bidder who provides electricity at the lowest price. Desperate to attract investment at any cost, the government will be able to arbitrarily decide on investment opportunities.

The CEB unions denounced the amendment, declaring

that the government was planning to hand over the country's wind and solar resources to the Adani Group, a major Indian multinational, without the competitive bidding process. They also demanded a halt in the moves towards privatisation of the CEB and for a suitable professional with an "unblemished character" to be appointed as CEB chairman.

The unions, however, immediately capitulated to Rajapakse's essential services gazette and cancelled the strike.

CEBEU president Anil Ranjith told the media that Rajapakse had called him and promised to look into the union's demands during the committee stage debate in parliament. Ranjith also claimed that if the current amendment was passed, "We will not hesitate to resume our trade union action with immediate effect."

Rajapakse's "promise," like Ranjith's threats, were worthless, with the amendment passed by a majority in the Sri Lankan parliament on Thursday.

At the same time, the Colombo District Courts, on the request of CEB management, issued an enjoining order preventing the CEBEU from "disrupting supply of electricity to the general public as a result of engaging in strike." The order constitutes a judicial ban on the strike and is valid till June 22, when the union leaders will have to appear in court. Ignoring the order would be considered contempt of court and punishable.

None of the opposition parties, including the Samagi Jana Balawegaya (SJB), the Janatha Vimukthi Peramuna (JVP) and the Tamil National Alliance (TNA), opposed the essential public services order.

Leading SJB MP, Harsha De Silva failed to win support for an opposing amendment allowing small investors to bid for tenders, further demonstrating that the SJB has no fundamental differences with the government's agenda.

JVP parliamentarians recorded a token opposition vote against the government amendment.

Power and Energy Minister Wijesekara told parliament that the government would not “bow down to trade union terrorism,” a reference to CEB workers not the union bureaucrats who had already stopped the strike. He also called on the security forces to protect the hydropower reservoirs, claiming “sabotage acts” were occurring.

Sri Lanka’s original Electricity Act of 2009 paved the way for private firms, cooperatives and local government bodies to compete with the state-owned CEB in all aspects of power generation, transmission and distribution. The current amendment, which permits private investments, including international investors in the renewable sector, is another element in the restructuring and ultimate privatisation of the CEB, a long-standing International Monetary Fund (IMF) demand.

Facing mass nationwide protests and two general strikes in April and May demanding his resignation as president and the removal of his government, Gotabaya Rajapakse appointed pro-US politician Ranil Wickremesinghe as prime minister last month. Wickremesinghe, the only United National Party representative in parliament, is charged with implementing the IMF’s austerity demands. He has repeatedly declared that loss-making state-owned enterprises cannot be sustained and must be privatised.

Yesterday, the media reported that the CEB lost 65 billion rupees in the first quarter of this year. Electricity prices will soon be increased with CEB management proposing a 300 percent hike, which will drastically impact on workers and the poor.

The union’s criticism of the amendment bill is hypocritical. Announcing the cancellation of the strike, CEBUTA leader and JVP central committee member Ranjan Jayalal said: “This bill allows the Indian Adani Company to have monopoly in this sector. If there is a competitive tender bidding process then domestic and international investors should also be allowed intervene.”

In other words, the union is not opposed to “competitive bidding” in the electricity sector but wants it broadened. It was compelled to call a strike in order to dissipate workers’ anger over the government privatization drive.

Last year, the Rajapakse government decided to sell 40 percent of the state-owned Kerawalapitiya LNG power plant to the US-based New Fortress Energy Company. The unions called limited protests and took court action, claiming that this would help to compel the government to reverse its decision. Predictably, the courts backed the government deal and the unions accepted the ruling and

shut down their protests.

Over the last two and half months, the CEB unions, in collaboration with other unions, have worked to divert the mass anti-government protests and strikes behind SJB and JVP calls for an interim regime and parliamentary elections.

As previously noted, Rajapakse’s draconian essential services decree applies to the health sector where workers are deeply hostile to government cuts to overtime payments. While health employees have held strikes and demonstrations at several hospitals, the health unions have shutdown these protests, accepting “assurances” from the health ministry that it will pay back the reduced allowances at some point in the future.

The new EPSA decree banning strikes by electricity and health workers is a warning to the working class as a whole.

Deeply mired in the global crisis triggered by the pandemic and intensified by the US-NATO war against Russia in Ukraine, the Sri Lankan capitalist class is determined to impose the economic burden on workers and the poor, including through the use of dictatorial measures.

As the last three months have again revealed, the survival of the capitalist elite and its government depends on the treachery of the trade unions.

CEB workers, health sector employees and all other sections of the working cannot defend their democratic and social rights without a political fight against the Rajapakse-Wickremesinghe regime and a struggle for a workers and peasants government based on socialist and internationalist policies.

As the Socialist Equality Party (SEP) has explained, workers need to take matters into their hands by building action committees in all workplaces and working-class suburbs, independent of the unions and the capitalist parties, and in unity with their class brothers and sisters internationally.



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